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*Interim Lead Counsel for  
Direct Purchaser Class*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

IN RE STATIC RANDOM ACCESS  
MEMORY (SRAM) ANTITRUST  
LITIGATION

Case No. M:07-CV-01819-CW

MDL No. 1819

**STIPULATION AND ~~PROPOSED~~  
ORDER REGARDING PROCEDURES  
GOVERNING EXPERT DISCOVERY**

This Document Relates to:

ALL ACTIONS

The Direct Purchaser Plaintiffs, Indirect Purchaser Plaintiffs and Defendants agree as follows regarding the timing and scope of any expert discovery in this case, and hereby agree and submit this stipulation and proposed order to the Discovery Master, the Honorable Fern M. Smith (pursuant to F.R.C.P. 53), and the presiding Judge in this case, the Honorable Claudia Wilken:

1. Within 3 business days of any party serving any expert reports and/or expert declarations in this case pursuant to Fed. R. Civ. P. 26(a)(2)(B), the party or parties proffering the expert witness shall produce all other documents and/or information required by Rule 26(a)(2)(B), namely "the data or other information considered by the witness in forming the [expert's] opinions; any exhibits to be used as a summary of or support for the

1 opinions; the qualifications of the witness, including a list of all publications authored by the  
2 witness within the preceding ten years; the compensation to be paid for the study and  
3 testimony; and a listing of any other cases in which the witness has testified as an expert at  
4 trial or by deposition within the preceding four years.” “[D]ata or other information  
5 considered” shall include, but is not limited to, raw data, spreadsheets, computerized  
6 regression analyses and/or other underlying reports and schedules sufficient to reconstruct  
7 the expert’s work, calculations, and/or analyses. Information can be produced electronically  
8 (via email or disc) where appropriate. Where documents have previously been produced as  
9 part of the discovery in this case, a list of such documents by Bates number is sufficient. As  
10 to other documents considered by the expert, those documents should be produced except  
11 where widely-available publicly without undue expense (such as on the internet, or in major  
12 university libraries).

13 2. The following types of information shall not be the subject of discovery: (1) the  
14 content of communications among and between: (a) counsel and expert; (b) experts and other  
15 experts or consultants; and/or (c) experts and their respective staff, and (2) notes, drafts,  
16 written communications or other types of preliminary work created by, or for, experts. The  
17 foregoing exclusions from discovery will not apply to any communications or documents  
18 upon which the experts rely as a basis for their opinions/reports.

19 3. This Stipulation shall be effective only upon agreement of both the Direct  
20 Purchaser Plaintiffs and the Indirect Purchaser Plaintiffs, as well as the Defendants.

21  
22 Dated: February 29, 2008

COTCHETT, PITRE & McCARTHY

23 By: /s/ Neil Swartzberg  
24 Steven N. Williams

25 *Interim Lead Counsel for Direct*  
26 *Purchaser Class*

27 Dated: February 29, 2008

ZELLE, HOFMAN, VOLBEL, MASON  
& GETTE LLP

28 By: /s/ Craig C. Corbitt

Craig C. Corbitt

*Interim Lead Counsel for Indirect  
Purchaser Class*

Dated: February 29, 2008

THELEN, REID, BROWN, RAYSMAN  
& STEINER LLP

By: /s/ Paul R. Griffin  
Paul R. Griffin

*Liaison Counsel for Defendants*

PURSUANT TO STIPULATION, IT IS SO ORDERED.

*March*  
Dated: ~~February~~ 3, 2008

  
Hon. Fern M. Smith

*Discovery Master*

March 10  
Dated: ~~February~~ 10, 2008

  
Hon. Claudia Wilken

*United States District Judge  
Northern District of California*

ATTESTATION OF FILING

Pursuant to N.D. Cal. General Order No. 45, section 45 X(B), I, Neil Swartzberg,  
hereby attest that concurrence in the filing of this stipulation and proposed order has been  
obtained from: Lead Counsel for the Indirect-Purchaser Plaintiffs and the Proposed Class,  
and Liaison Counsel for Defendants who have provided the conformed signatures above.

COTCHETT, PITRE & MCCARTHY

By: /s/ Neil Swartzberg  
Neil Swartzberg

*Interim Lead Counsel for  
Direct Purchaser Class*